GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public services - EFS&T Department – Vigilance Report - Sri A. Sunil Kumar, Forest Range Officer, Rampachodavaram (T) Range of Kakinada (T) Division - Inquiry under Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 - Article of charges issued –Regarding.

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ENVIRNOMENT, FORESTS, SCICENCE AND TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.RT.No. 13 Dated: 14-02-2020.
Read :

Government Memo No.1209/Sec.IV/A1/2018, EFS&T (SEC. IV) Department, dated 14.02.2020.

O R D E R:

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference read above, it is considered necessary to hold an enquiry against Sri A.Sunil Kumar, Forest Range Officer, Rampachodavaram (T) Range of Kakinada (T) Division in accordance with the procedure laid down in Rule- 20 of the A.P Civil Services (CC&A) Rules, 1991.

2) The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set-out in the enclosed statement of Article of Charges (Annexure-I). A list of documents by which, and a list of witnesses by whom, the Article of charges are proposed to be sustained are also enclosed (Annexure-II and III)

3) Sri A.Sunil Kumar, Forest Range Officer is directed to submit within (10) days of the receipt of this order, a written statement of his defense and also to state whether he desires to be heard in person

4) Sri A.Sunil Kumar, Forest Range Officer is informed that an inquiry will be held only in respect of those Article of Charges as are not admitted. He should, therefore, specifically admit or deny each Articles of Charges.

5) Sri A.Sunil Kumar, Forest Range Officer is further informed that, if he does not submit his written statement of defense within the time specified in para 3 above, further action will be processed based on the material available.

6) Attention of Sri A.Sunil Kumar, Forest Range Officer is invited to Rule- 24 of the A.P.C.S (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri A. Sunil Kumar, Forest Range Officer is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule- 24 of the A.P.C.S (Conduct) Rules, 1964.

(P.T.O)

7) The receipt of Article of Charges should be acknowledged on the duplicate copy enclosed and the said duplicate copy be returned to the under signed immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri A.Sunil Kumar, Forest Range Officer, (induplicate)
{Through the Prl.Chief Conservator of Forests (HoFF), Andhra Pradesh, Guntur}
Copy to:
The Prl.Chief Conservator of Forests (HoFF), Andhra Pradesh, Guntur for information and necessary action. He is requested to issue instructions to the concerned to arrange to serve the Government Orders on the individual, obtain his dated acknowledgment on the duplicate copy and resubmit the same to the Government immediately.
The Secretary, APVC.
The O.S.D. to M (Energy, EFS & T),
The P.S. to Special Chief Secretary to Government, EFS & T Dept.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE

Statement of Article of charges framed against Sri A.Sunil Kumar, Forest Range Officer, Rampachodavaram Range, Kakinada Division of Rajahmundry Circle.

That the said Sri A.Sunil Kumar, Forest Range Officer, Rampachodavaram Range, Kakinada Division of Rajahmundry Circle during period from 21-08-2017 to till date, had committed the grave misconduct and irregularities as mentioned in the following Article of charges.

Article – I:

"That he had exhibited gross negligence in duties by slack supervision of Vana Samrakshana Samithi (VSS), Gandhinagaram, activities who operating the boats at the boat point at Bhupathipalem Reservoir and allowed the tourism Boats without registration from the Executive Engineer, Dowleswaram at the cost of safety of the Tourists at Bhupathipalem Reservoir, Gandhinagaram (V), Rampachodavaram (M).

Thus, Sri A.Sunil Kumar, Forest Range Officer, Rampachodavaram Range of Kakinada Division, by his above mentioned acts has exhibited lack of integrity, discipline and devotion to duty and conduct unbecoming of a Government servant and thereby contravened Rule-3 (1) of the A.P.C.S (Conduct) Rules, 1964. **Hence the charge**".

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE - I.

STATEMENT OF IMPUTATIONS AND MISCONUDCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI A.SUNIL KUMAR, FOREST RANGE OFFICER, RAMPACHODAVARAM RANGE OF KAKINADA DIVISION FROM 21.08.2017 TO TILL DATE.

ARTICLE OF CHARGE :

"That he had exhibited gross negligence in duties by slack supervision of Vana Samrakshana Samithi (VSS), Gandhinagaram, activities who operating the boats at the boat point at Bhupathipalem Reservoir and allowed the tourism Boats without registration from the Executive Engineer, Dowleswaram at the cost of safety of the Tourists at Bhupathipalem Reservoir, Gandhinagaram (V), Rampachodavaram (M).

Basis of the charge: -

In the light of the boat accident which occurred at Ferry Ghat, Pavitra Sangamam, Vijayawada, the V&E officials along with Revenue officials conducted surprise inspections at all boating points to verify the fitness, registration of the boats and safety measures being taken in the boats in East Godavari District viz., Coringa Wildlife Eco Tourism, Bhupathipalem Reservoir, Pattiseema Tourist Spot, Devipatnam, PushkarGhat, PadmavathiGhat and SaraswathiGhat on different dates i.e., 15.11.2017, 19.11.2017 and 21.12.2017 and noticed the following irregularities at VSS, Gandhinagaram at Boating Point, Bhupathipalem Reservoir, Rampachodavaram (M), which is under the control of Forest Range Officer, Rampachodavaram.

Boating Point at Bhupathipalem Reservoir, Rampachodavaram

The Forest Department in co-ordination with Tourism Department is organizing a boating point here through Vana Samakshana Samithi (VSS) Gandhi Nagaram of Rampachodavaram Mandal. One supervisor and there (3) Assistants are working here. Their salaries are being drawn from the amount collected from the tourists. The salaries are as follows:

For Supervisor – Rs.8000/-
For Assistant – Rs.6000/-

The following boats are present at the boating point

1) 2 Seater pedal boats - 6 Nos.
2) 4 Seater pedal boats - 4 Nos.
3) 6 Seater speed boats - 2 Nos.
4) 2 Seater Tube boat - 1 No.
5) 4 Seater tube boat - 1 No.

The ticket rates are as follows:

Tube boats - Rs.100- per head
Speed boats - Rs.609/ per trip
Pedal boats - Rs.50/- per head

The organizers are giving life jackets to the tourists. During the inspection by V& E authorities, it was noticed that one M. RaviBabu, a minor of age (17) yrs. is working as a Driver operating the speed boats. It is also noticed that he does not possess any license from the competent authorities, i.e Executive Engineer, Godavari Head Works, Dowleswaram. This is dangerous from the point of safety of tourists.

Statement of Kum M.Prameela Rani, Supervisor of the Boating point:

She stated that the amount collected from the tourists by way of selling the tickets is being credited to the Bank account of Vana Samrakshna Samithi (VSS), Gandhinagaram and the wages to the staff are being drawn from the same account and the remaining amount is being utilized for maintenance of the boats and the jetty.

On further verification, it was noticed that there are no fitness certificates or registration certificates from the competent authorities for the above two speed boats. Hence, the boats were seized by the revenue officials and handed over to the Forest Department officials for safe custody under a cover panchanama and advised the Officials not to resume any boating activity till they got registered with Executive Engineer, Godavari Head works, Dowleswaram.

The Forest Range Officer, Rampachodavaram, stated that as per the proceedings issued by the Dist. Collector & PO, ITDA, Rampachodavaram, the Vana Samrakshana Samithi (VSS) Gandhinagar is operating the boat point at Bhupathipalem Reservoir as a measure of rehabilitation to evacuees. The speed boats were brought from M/s Cresent Adventure and Water Sports. He stated that the permitted the two speed boats to operate in the Bhupatahipalem Reservoir on the assumption that the owner of the speed boats had all the required permissions and the owner of the speed boats informed him that the relevant documents were misplaced. The charged officer further stated that after receipt of the documents, the owner of on the speed boats will apply for registration.

The charged officer has the responsibility to verify all the documents of the boats and necessary permissions from the competent authorities should be taken before he allows the boats at the boating point. The charged officer could not perform his duties, on assumptions as the issue is connected with the safety and lives of the tourists.

It is evident from the above that the charged officer during his tenure exhibited gross negligence in duties by slack supervision of Vana Samrakshana Samithi (VSS), Gandhinagaram, activities. As, at Bupathipalem Reservoir, two speed boats are being operated without registration from the competent authorities and a 17 year old minor who is an untrained driver, is operating the speed boats which is dangerous.

Thus, the charged officer has failed to discharge his general duties of Forest Officer under Section 148 of A.P. Forest Department Code and failed to attend legitimate duties and responsibilities of Forest Range officer as envisaged under Section 155 of A.P. Forest Department Code and thereby violated the provisions of the A.P. Forest Act, 1967 and A.P. Wildlife Protection Act, 1972 Forest Conservation Act, 1980 as well as Canals and Public Ferries Act, 1890. Hence, the charge.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-II.

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI A.SUNIL KUMAR, FOREST RANGE OFFICER, RAMPACHODAVARAM RANGE OF KAKINADA (T) DIVISION ARE PROPOSED TO BE SUSTAINED.

1. Director General (V&E) & E.O. Prl. Secretary to Govt. (FAC), G.A.D (V&E) Dept., Govt. of A.P, Velagapudi, Amaravathi Vigilance report No. 16 (C. No. 241/V&E/D1/2018, dt.26-02-2018.

2. Govt. memo no. 1209/Sec. IV/A1/2018 E,F,S, & T (SEC. IV) dept, dated 01-05-2018.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI A.SUNIL KUMAR, FOREST RANGE OFFICER, RAMPACHODAVARAM RANGE OF KAKINADA (T) DIVISION ARE PROPOSED TO BE SUSTAINED.

The concerned officials of the Vigilance and enforcement department of Rajamahendravaram unit who have inspected and conducted surprise inspections at all Boating points to verify the fitness, registration of the Nets and safety measures being taken in the Beats in East Godavari District.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER